

REMARKS/ARGUMENTS

This Amendment responds to the Office Action mailed from the U.S. Patent and Trademark Office on December 28, 2004.

Applicants note that the status of claims 48-57 is not indicated in either the Summary or Detailed Action portion of the Office Action. Applicants respectfully request clarification as to the status of claims 48-57.

Applicants have amended claims 3-7, 9-11, 13, 16-20, 22, 23, 25-27, 29, 30, 32, 33, 37, 39, 40, 42, 44-52, 54, 55, 57, 60, 63, 65, 68-69, 71, 72, 74, 76-78, 80, 82, 83, 85, and 87. Claims 2, 34, 38, 70, 75, 79, and 86 have been canceled. Claims 5-8, 15-17, 19, 21, 35, 36, 40, 43, 44, 58-61, 64-67, and 76-77 have been withdrawn. Thus, claims 1, 3, 4, 9-14, 18, 20-33, 37, 39, 41, 42, 45-47, 48-57, 62-63, 68, 69, 71-74, 78, 80-85, and 87 remain pending in the application.

Nonelected Claims

Claims 5-8, 15-17, 19, 21, 35, 36, 40, 43, 44, 58-61, 64-67, and 76-77 have been withdrawn as being directed to a nonelected species of the invention, but will be allowable upon allowance of a generic or linking claim (e.g., 1, 27, 37, 47, 52, 68, 78, and 83), respectively. Applicants have amended withdrawn claims 5-7, 16, 17, 19, 40, 44, 60, 65, and 77.

Applicants note that the Examiner has asserted that "some language such as 'purchase enhancement means' is synonymous with other structures though named differently." Applicants have amended the claims to address any perceived synonymity between different claim phraseology contained by different claims.

Applicants respectfully request reconsideration of the application, as amended.

Anticipation Rejection Based on U.S. Patent No. 5,178,423 to Combeau

Claims 1-4, 9-14, 18, 20, 22-34, 37-39, 41, 42, 45-47, 62, 63, 68-75, and 78-87 are rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,178,423 to Combeau (hereinafter "Combeau"). Applicants respectfully traverse the anticipation rejection, as hereinafter set forth.

A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. *Verdegaal Brothers v. Union Oil Co. of California*, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). The identical invention must be shown in as complete detail as is contained in the claim. *Richardson v. Suzuki Motor Co.*, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989).

Combeau discloses a connector for a flexible part comprising a unitary sleeve having an end portion for coupling to flexible pipe. The coupling end portion includes a threaded portion and a frustoconical portion (i.e., a barb) extending therefrom. Thus, a pipe having a suitable inner diameter may be pushed onto the barb. Further, a nut having a threaded interior surface configured for engaging the threaded surface of the adapter may be placed around the pipe and for securing the pipe to the adapter. Also, the nut may have a radially extending wall that cooperates with the opening to form an edge. Also, as shown in FIG. 3, the distal end of the nut 6 as disclosed by Combeau is aligned with the distal end of the barb. Further, Combeau discloses "threads 28 at the threaded portion 24 are disposed below the cylindrical portion 23 such that a stop or shoulder 29 is formed therebetween that acts as a limit as to how far the nut 6 can advance into the threaded projection 5 thereby ensuring that the sharp edge 18 is always positioned over the frustum cone 3." Col. 3, lines 35-41. (Emphasis added).

Independent claim 1, as presently amended, recites, *inter alia*, "wherein a distal end of the locking ring in the assembled condition of the connection system is positioned proximal to the barrier wall of the connection stem." As described above, Combeau does not disclose that a distal end of the locking ring in the assembled condition of the connection system is positioned proximal to the barrier wall of the connection stem. Rather, Combeau discloses that a shoulder limits the position of the sharp edge 18, which inherently limits the position of the distal end of the nut 6. Therefore, Applicants respectfully assert that Combeau does not disclose (or even

suggest) each and every element of claim 1. Applicants respectfully request withdrawal of the anticipation rejection and allowance of independent claim 1, as presently amended.

Dependent claim 2 has been canceled.

Each of dependent claims 3-4, 9-14, 18, 20, 22-26 should be allowable because each depends from independent claim 1, which should be allowable for the reasons stated above. Applicants respectfully request reconsideration and allowance of each of dependent claims 2-4, 9-14, 18, 20, 22-26.

Independent claim 27, as presently amended, recites, *inter alia*, “wherein the coupling hub, the securement collar, and the frustoconical barb, in the assembled condition of the connection system, are structured for subjecting a portion of the outer wall of the catheter disposed between *said interior surface of said locking ring and said cylindrical portion of said connection stem to a condition of maximum compression produced in the outer wall of the catheter by said connection system.*” (Emphasis added). As shown in FIG. 3 of Combeau, it does not appear that the threads 28 of the threaded portion 23 of the nut even contact the pipe 9 in the area of the tubular extension 4. Further, Combeau states, “[w]hen the nut 6 is installed in the assembly, the edge 18 will tend to wrinkle the external surface of the pipe 9, generally indicated as 14 in FIG. 3. The wrinkle increases every time the pipe 9 is subjected to a traction pull so that the annular wrinkle 14 opposes the separating of the pipe 9 and increases the sealing effect between the pipe 9 and the coupling assembly.” Col. 3, lines 42-48. Accordingly, Applicants respectfully assert that Combeau does not disclose (or even suggest) each and every element of independent claim 27, as presently amended. Therefore, Applicants respectfully request withdrawal of the anticipation rejection and allowance of independent claim 27, as presently amended.

Dependent claim 28 should be allowable because it depends from independent claim 27, which should be allowable for the reasons stated above. Applicants respectfully request reconsideration and allowance of dependent claim 28.

Dependent claim 29 should be allowable because it depends from independent claim 27, which should be allowable for the reasons stated above. In addition, dependent claim 29, as presently amended, recites, *inter alia*, “further including a

rounded fillet extending between the distal end of said barb and said tip of said distal end of said connection stem.” Applicants respectfully assert that Combeau does not disclose a rounded fillet extending between the distal end of said barb and said tip of said distal end of said connection stem.” Thus, Applicants respectfully request withdrawal of the anticipation rejection and allowance of dependent claim 29.

Each of dependent claims 30-33 should be allowable because each depends from independent claim 27, which should be allowable for the reasons stated above. Applicants respectfully request reconsideration and allowance of each of dependent claims 30-33.

Dependent claim 34 has been canceled.

Each of Dependent claims 35 and 36 should be allowable because each depends from independent claim 27, which should be allowable for the reasons stated above. In addition, dependent claim 35 recites, *inter alia*, “wherein the medical device is a subcutaneously implantable vascular access port.” Further, dependent claim 36 recites, *inter alia*, “wherein the medical device is a replacement hub of a catheter repair kit.” Applicants respectfully assert that Combeau does not disclose (or even suggest) each and every element of dependent claims 35 and 36. Accordingly, Applicants respectfully request reconsideration and allowance of each of dependent claims 35 and 36.

Independent claim 37, as presently amended, recites, *inter alia*, “wherein the internal diameter of the purchase enhancement region of the internal bore of the securement collar increases in a proximal direction longitudinally along the securement collar more rapidly than any increase in the outer diameter of the exterior of the connection stem radially adjacent the purchase enhancement region.” Combeau discloses that the nut includes “a circular centered generally cylindrical opening 7” and tubular or cylindrical “portion 23.” As such, Applicants respectfully assert that Combeau does not disclose (or even suggest) each and every element of the independent claim 37. Therefore, Applicants respectfully request withdrawal of the anticipation rejection and allowance of independent claim 37, as presently amended.

Dependent claim 38 has been canceled.

Each of dependent claims 39, 41, 42, 45, and 46 should be allowable because each depends from independent claim 27, which should be allowable for the reasons

stated above. Applicants respectfully request reconsideration and allowance of each of dependent claims 39, 41, 42, 45, and 46.

Independent claim 47, as presently amended, recites, *inter alia* “wherein a distal end of the securement collar, in the assembled condition of the connection system, is positioned adjacent to the barrier wall of the connection stem.” As discussed hereinabove with respect to independent claim 1, Combeau does not disclose that a distal end of the securement collar, in the assembled condition of the connection system, is positioned adjacent to the barrier wall of the connection stem. Rather, Combeau discloses that a shoulder limits the position of the distal end of the nut 6. Therefore, Applicants respectfully submit that Combeau does not disclose (or even suggest) each and every element of claim 47. Applicants respectfully request withdrawal of the anticipation rejection and allowance of independent claim 47, as presently amended.

Although not currently rejected, independent claim 52 is discussed herein for purposes of rejected dependent claims 62 and 63. Independent claim 52, as presently amended, recites, *inter alia*, “a distal end located at a longitudinal distance along said securement collar from said second set of threads, said longitudinal distance being less than the longitudinal extent of said cylindrical portion of said connection stem.” As clearly shown in FIG. 3 of Combeau, the distal end of the nut 6 is located longitudinally from the second set of threads at a position that exceeds the longitudinal extent of the cylindrical portion (area of the tubular extension 4) of the stem. Thus, Applicants respectfully submit that Combeau does not disclose each and every element of the claim. Applicants respectfully request withdrawal of the anticipation rejection and allowance of independent claim 52, as presently amended.

Each of dependent claims 62 and 63 should be allowable because each depends from independent claim 52, which should be allowable for the reasons stated above. Applicants respectfully request reconsideration and allowance of each of dependent claims 62 and 63.

Independent claim 68, as presently amended, recites, *inter alia*, “wherein the coupling hub, the barb, and the securement collar, in the assembled condition of the connection system, are structured for urging a portion of the outer wall of the catheter

against said outer surface of said cylindrical portion of said connection stem to create, thereat, in a portion of the outer wall of the catheter, a longitudinally uniform condition of maximum compression.” Applicants respectfully assert that the threads 28 of the threaded portion 23 of the nut 6 (as shown in FIG. 3 of Combeau), do not even contact the pipe 9 in the area of the tubular extension 4, let alone create, thereat, in a portion of the outer wall of the catheter, a longitudinally uniform condition of maximum compression. Rather, Combeau states, “[w]hen the nut 6 is installed in the assembly, the edge 18 will tend to wrinkle the external surface of the pipe 9, generally indicated as 14 in FIG. 3. The wrinkle increases every time the pipe 9 is subjected to a traction pull so that the annular wrinkle 14 opposes the separating of the pipe 9 and increases the sealing effect between the pipe 9 and the coupling assembly.” Col. 3, lines 42-48. Accordingly, Applicants respectfully assert that Combeau does not disclose (or even suggest) each and every element of independent claim 68, as presently amended. Therefore, Applicants respectfully request withdrawal of the anticipation rejection and allowance of independent claim 68, as presently amended.

Dependent claim 69 should be allowable because it depends from independent claim 68, which should be allowable for the reasons stated above. Applicants respectfully request reconsideration and allowance of dependent claim 69.

Dependent claim 70 has been canceled.

Each of dependent claims 71-74 should be allowable because each depends from independent claim 68, which should be allowable for the reasons stated above. Applicants respectfully request reconsideration and allowance of each of dependent claims 71-74.

Dependent claim 75 has been canceled.

Independent claim 78 recites, as presently amended, *inter alia*, “wherein a distal end of the securement collar, in the assembled condition of the connection system, is positioned adjacent to the barrier wall of the connection stem.” As discussed hereinabove with respect to independent claims 1 and 47, Applicants respectfully assert that Combeau does not disclose that a distal end of the securement collar, in the assembled condition of the connection system, is positioned adjacent to the barrier wall of the connection stem. Rather, Combeau discloses that a shoulder limits the position

of the distal end of the nut 6. Therefore, Applicants respectfully submit that Combeau does not disclose (or even suggest) each and every element of claim 78. Applicants respectfully request withdrawal of the anticipation rejection and allowance of independent claim 78, as presently amended.

Dependent claim 79 has been canceled.

Each of dependent claims 80-82 should be allowable because each depends from independent claim 68, which should be allowable for the reasons stated above. Applicants respectfully request reconsideration and allowance of each of dependent claims 80-82.

Independent claim 83, as presently amended, recites, *inter alia*, “wherein a distal end of the securement collar, in the assembled condition of the connection system, is positioned adjacent to the barrier wall of the connection stem.” As discussed hereinabove with respect to independent claims 1, 47, and 78, Applicants respectfully assert that Combeau does not disclose that a distal end of the securement collar, in the assembled condition of the connection system, is positioned adjacent to the barrier wall of the connection stem. Rather, Combeau discloses that a shoulder limits the position of the distal end of the nut 6. Therefore, Applicants respectfully submit that Combeau does not disclose (or even suggest) each and every element of claim 83. Applicants respectfully request withdrawal of the anticipation rejection and allowance of independent claim 83, as presently amended.

Each of dependent claims 84 and 85 should be allowable because each depends from independent claim 83, which should be allowable for the reasons stated above. Applicants respectfully request reconsideration and allowance of each of dependent claims 84 and 85.

Dependent claim 86 has been canceled.

Dependent claim 87 should be allowable because it depends from independent claim 83, which should be allowable for the reasons stated above. Applicants respectfully request reconsideration and allowance of dependent claim 87.

CONCLUSION

Applicants respectfully submit that claims 1, 3, 4, 9-14, 18, 20-33, 37, 39, 41, 42, 45-47, 48-57, 62-63, 68, 69, 71-74, 78, 80-85, and 87 should be in condition for allowance, and respectfully request a favorable action on the merits. Should additional issues remain which might be resolved by a telephone conference, Applicants request that the Examiner contact Applicants' undersigned attorney, to expedite the handling of this application.

Respectfully submitted,

Date: APRIL 25, 2005



Trent N. Butcher
Registration No. 51,518